



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

re Patent Application of:  
Duane A. Burnett, et al.

Serial No.: 10/791,979

Filed: 03/03/2004

For: **Substituted Azetidinone  
Compounds, Processes for  
Preparing the Same, Formulations:  
and Uses Thereof**

Examiner: To Be Assigned

Group Art Unit: To Be Assigned

Atty. Docket No.: CV06039US01

**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to Rule 56, it is requested that the documents listed on the accompanying PTO-1449 Form be considered and made of record in the above-identified patent application. Copy(ies) of these references  are attached  were filed in related application U.S. Serial No(s) \_\_\_\_\_ filed \_\_\_\_\_, respectively.

(b) No fee is believed due because:

- This Information Disclosure Statement is being filed within three (3) months of the filing date of the application.
- This Information Disclosure Statement is being concurrently filed with the above-identified application.
- This Information Disclosure Statement is being concurrently filed with a Request for Continued Examination (RCE).
- This Information Disclosure Statement is being filed prior to the mailing of a first Office Action on the merits.

(c)  This Information Disclosure Statement is being filed before the mailing date of any final action, notice of allowance or an action that otherwise closes prosecution; and

- Each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; or
- No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement; or

The Commissioner is hereby authorized to charge the requisite fee listed on the attached Fee Transmittal Sheet.

(d)  This Information Disclosure Statement is being filed on or before the payment of the issue fee; and

Each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; or

No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement; and

The Commissioner is hereby authorized to charge the requisite fee listed on the attached Fee Transmittal Sheet.

The Commissioner is hereby authorized to charge any additional fees which may be required for this Information Disclosure Statement, or credit any overpayment to Deposit Account No. 19-0365, Patent Case No. CV06039US01.

Respectfully submitted,  
SCHERING-PLOUGH CORPORATION

Dated: April 20, 2004  
SCHERING-PLOUGH CORPORATION  
Patent Department, K-6-1, 1990  
2000 Galloping Hill Road  
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By:

  
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I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VIRGINIA 22313-1450 ON April 20, 2004.  
(DATE OF DEPOSIT)

ANN MARIE CANNONI, REG. NO. 35,972  
(REGISTERED REPRESENTATIVE)

  
(SIGNATURE AND DATE)



Sheet 1 of 1

FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE PATENT & TRADEMARK OFFICE INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use several sheets if necessary)</i>					ATTY. DOCKET NO.: <b>CV06039US01</b> APPLICATION NO.: <b>10/791,979</b> APPLICANT: <b>Duane A. Burnett, et al.</b> FILING DATE: <b>03/03/2004</b> GROUP: <b>To Be Assigned</b>		
<b>U.S. PATENT DOCUMENTS</b>							
*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE IF APPROPRIATE
AA							
AB							
AC							
AD							
AE							
AF							
AG							
AH							
AI							
AJ							
AK							
<b>FOREIGN PATENT DOCUMENTS</b>							
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
AL							YES NO
AM							
AN							
AO							
AP							
<b>OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)</b>							
	AQ	T. Kosoglou et al., "CoAdministration of Simvastatin and Ezetimibe Leads to Significant Reduction in LDL-Cholesterol", Proceedings of 3 <sup>rd</sup> International Congress on Coronary, Artery Disease from Prevention to Intervention, Lyon, France p. 271 (2000), XP008027568					
	AR						
	AS						
	AT						
	AU						
	AV						
EXAMINER				DATE CONSIDERED			
*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.							